

FILED
GREAT FALLS, MT

2008 MAY 20 AM 10 28

PATRICK E. DUFFY, CLERK

BY _____
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

LEWIS ELDON HUFFINE,

Petitioner,

vs.

MONTANA EIGHTEENTH JUDICIAL
DISTRICT COURT, JUDGE JOHN C.
BROWN,

Respondents.

No. CV 08-13-BU-SEH

ORDER

On May 15, 2008, United States Magistrate Judge Keith Strong entered Findings and Recommendation¹ in this matter. Petitioner is not entitled to a ten-day period to object to the Findings and Recommendation. Minetti v. Port of Seattle, 152 F. 3d 1113, 1114 (9th Cir. 1998). However, this Court will review Judge Strong's Findings and Recommendations for clear error.

Upon review, I find no clear error in Judge Strong's Findings and Recommendation and adopt them in full.

¹Docket No. 3.


ORDERED:

1. The Petition for Post Conviction Relief Under 28 USC 2254² is DISMISSED for failure to pay the filing fee..

2. A certificate of appealability is DENIED.

3. The Clerk of Court is directed to enter judgment accordingly.

DATED this 20th day of May, 2008.

A handwritten signature in black ink, reading "Sam E. Haddon", written over a horizontal line.

SAM E. HADDON
United States District Judge

² Docket No. 1.